

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

DEBRA A. SMITH,

Plaintiff,

v.

GALLIA COUNTY JAIL, *et al.*,

Defendants.

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Case No. 2:20-cv-3089

Chief Judge Algenon L. Marbley


Magistrate Judge Chelsey M. Vascura

**ORDER**

This matter is before the Court following the appeal of this Court's Order (ECF No. 32) granting in part and denying Defendants' Motion to Dismiss (ECF No. 23). The Sixth Circuit has reversed this Court's decision, holding: (1) Plaintiff failed to allege facts demonstrating the presence of a special relationship or that the state created a special danger; (2) because Plaintiff has not stated a claim that an underlying constitutional violation occurred, the County cannot be liable under *Monell*; and (3) Defendants are entitled to statutory immunity on Plaintiff's state law claims. (See ECF No. 37). As this case currently stands, Plaintiff has no remaining claims.

Given this posture, in accordance with the mandate issued by the Court of Appeals (ECF No. 38), this case is no longer held in abeyance (ECF No. 36) and is hereby **DISMISSED**.

**IT IS SO ORDERED.**

  
ALGENON L. MARBLEY  
CHIEF UNITED STATES DISTRICT JUDGE

**DATE: March 21, 2022**